

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

---

UNITED STATES OF AMERICA, ex rel.,  
KEISHA KELSCHENBACH,

Plaintiffs,

-v-

M&T BANK CORPORATION,

13-CV-0280(S)

Defendant.

---

**ORDER**

Pursuant to Rule 41(a) of the federal rules of Civil Procedure and the *qui tam* provisions of the False Claims Act, 31 U.S.C. § 3730(b)(1), the United States and Relator filed a Stipulation of Dismissal. Upon consideration of the Stipulation, and the papers on file in this action,

IT IS HEREBY ORDERED that,

1. Consistent with the terms of the May 9, 2016 Settlement Agreement executed by the United States, Relator, and Defendant (the “Settlement Agreement”), all claims asserted on behalf of the United States against the Defendant concerning the Covered Conduct as defined in Recital C of the Settlement Agreement are dismissed with prejudice; and

2. Consistent with the terms of the Settlement Agreement, all other claims, except Relator’s claim for entitlement for reasonable expenses necessarily incurred and reasonable attorney’s fees and costs pursuant to 31 U.S.C. § 3730(d), are dismissed

without prejudice to the United States and with prejudice as to the Relator.

3. Consistent with the terms of the Settlement Agreement, the exclusive jurisdiction and venue for any dispute relating to this agreement, including determination of relator's share, is the United States District Court for the Western District of New York.

SO ORDERED.

Dated: May 20, 2016  
Buffalo, New York

/s/William M. Skretny  
WILLIAM M. SKRETNY  
United States District Judge